

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

DEFENDANTS LISTED ON ECF NO. 14283,

Defendants.

Adv. Pro. 10-04995
10-04818
10-04914
10-04826
10-04644
10-04541
10-04728
10-04905
10-04621

**DECLARATION OF MAXIMILLIAN S. SHIFRIN IN SUPPORT OF TRUSTEE'S
MOTION FOR ATTORNEYS' FEES PURSUANT TO FED. R. CIV. P. 37(a)(5)(B)**

MAXIMILLIAN S. SHIFRIN hereby declares as follows:

1. I am a member of the New York Bar and an associate at Baker & Hostetler LLP, counsel for plaintiff Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff.

2. I make this Declaration in support of the Trustee's application, pursuant to Fed. R. Civ. P. 37(a)(5)(B), for attorneys' fees incurred opposing the third motion to compel brought by certain defendants represented by Chaitman LLP and the subsequent appeal in this Court of Judge

Maas's denial of that motion.

3. As the attorney who performed the work reflected in the attached time records, I am fully familiar with the details set forth therein based upon my own personal knowledge.

4. Attached as Exhibit A is a chart reflecting the time records related to the preparation of the joint letter submitted by the parties to Judge Maas in connection with the third motion to compel.

5. Attached as Exhibit B is a chart reflecting the time records related to the preparation for the in-person arbitration before Judge Maas on November 19, 2018.

6. Attached as Exhibit C is a chart reflecting the time records related to the Trustee's opposition of the supplemental submission made by Ms. Chaitman after the November 19, 2018 arbitration.

7. Attached as Exhibit D is a chart reflecting the time records related to the Trustee's opposition to the request for leave to appeal Judge Maas's January 2019 Order denying the third motion to compel.

8. Attached as Exhibit E is a chart reflecting the time records related to the Trustee's opposition to the appeal of Judge Maas's January 2019 Order denying the third motion to compel.

9. Attached as Exhibit F are the JAMS invoices related to the third motion to compel. Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Dated: New York, New York
November 15, 2019

/s/ Maximillian S. Shifrin
Maximillian S. Shifrin